

UNITED STATES DISTRICT COURT

for the

WESTERN District of TEXAS

United States of America

v.

Bryan Josue VILLANUEVA-Hernandez

Defendant(s)

Case No. SA-22-MJ-01109

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of July 26, 2022 in the county of Frio in the
Western District of Texas, the defendant(s) violated:*Code Section**Offense Description*8 U.S.C. § 1324 (a)(1)(A)
(ii)/(B)(iv).

Transportation of illegal aliens resulting in death.

PENALTIES: Up to Life in prison or death; up to \$250,000 fine; no
more than 5 years term of supervised release, \$100 Special Assessment,
\$5,000 assessment pursuant to 18 U.S.C. § 3014

This criminal complaint is based on these facts:

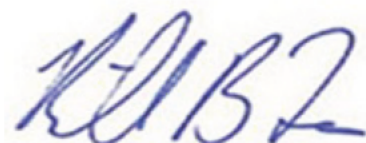
See attached affidavit

☒ Continued on the attached sheet.FRANCISCO PEREZ Digitally signed by FRANCISCO PEREZ
Date: 2022.07.27 09:35:27 -05'00'*Complainant's signature*

Francisco Perez / HSI SA

Printed name and title

- ☐ Sworn to before me and signed in my presence.
☒ Sworn to telephonically and signed electronically.

Date: 07/27/2022City and state: San Antonio, Texas*Judge's signature*

Richard B. Farrer, U.S. Magistrate Judge

Printed name and title

AFFIDAVIT

Being duly sworn, I declare that the following is true and correct to the best of my knowledge:

On July 26, 2022, the Frio County Sherriff's Office received a 911 call from a concerned citizen regarding a two-car accident on Farm to Market 140, near Pearsall, Texas, in the Western District of Texas. Frio County Deputies responded to the accident location and located Bryan Josue VILLANUEVA Hernandez. Thereafter, Texas Department of Public Safety (DPS) Troopers responded and interviewed a concerned citizen who identified Bryan Josue VILLANUEVA Hernandez as the driver of the maroon Nissan Pathfinder, one of the vehicles involved in the accident. The concerned citizen observed VILLANUEVA exit the maroon Nissan Pathfinder and bang on the windows. In addition, the concerned citizen observed VILLANUEVA leave the location of the rollover accident. DPS Troopers detained VILLANUEVA, and four passengers were identified to have been in the vehicle. DPS Troopers suspected it was a human smuggling scheme.

Homeland Security Investigations (HSI) Special Agents (SA) were notified of the rollover and responded to Pearsall, Texas. DPS Troopers identified the four individuals that were being smuggled by VILLANUEVA, of which three were transported to the hospital and one was identified as deceased. DPS Troopers provided HSI with foreign identifications for the passengers. HSI responded to local hospitals and was able to interview one of the passengers, who admitted to being an Undocumented Individual (UI) who entered the United States illegally as part of a human smuggling scheme.

HSI Agents interviewed VILLANUEVA and advised him of his Miranda Rights in the Spanish language. VILLANUEVA waived his rights and agreed to answer the agents' questions without the presence of an attorney.

VILLANUEVA admitted that he was hired to pick up the UIs in a borrowed vehicle and stated that he was going to be paid \$1000 US dollars per person he would pick up and transport to Houston, Texas. VILLANUEVA admitted that he traveled from Houston, Texas, to Uvalde, Texas, and picked up the four UIs in the brush. Additionally, VILLANUEVA said that as he was traveling back to Houston, Texas, he lost control of the Nissan Pathfinder, causing him to crash with an oncoming vehicle. VILLANUEVA added that he had previously transported UIs a few weeks prior and was paid \$1000 US dollars per person on that occasion.

Based upon the information set forth above, there is probable cause to believe that VILLANUEVA committed the offense of Transportation of Illegal Aliens Resulting in Death in

violation of Title 8 United States Code, Section 1324 (a)(1)A(ii)/(B)(iv).

FRANCISCO PEREZ Digitally signed by FRANCISCO PEREZ
Date: 2022.07.27 09:36:02 -05'00'

Francisco Perez
Special Agent
Homeland Security Investigations

Subscribed and sworn to before me on 07/27/2022



UNITED STATES MAGISTRATE JUDGE
RICHARD B. FARRER